

Main contractor and subcontractor of Kai Tak construction site convicted of contravening Noise Control Ordinance

The main contractor and subcontractor of a Kai Tak residential development construction site, namely Tysan Foundation Geotechnical Limited and Kit Kee Engineering Limited, failed to meet the requirements of a construction noise permit (CNP) as a result of using unpermitted powered mechanical equipment to carry out construction works at night. The main contractor and subcontractor involved were convicted and fined a total of \$60,000 at Kwun Tong Magistrates' Courts today (August 29) for contravening the Noise Control Ordinance (NCO).

In the light of the new housing developments in the Kai Tak Development Area (KTDA) gradually reaching completion and beginning residential intake, the Environmental Protection Department (EPD) has been closely controlling construction noise in the area in accordance with the NCO, with a view to preventing nearby residents from being disturbed. The EPD received a complaint from a local resident in January against noise nuisance caused by the carrying out of construction work at night at a construction site in the KTDA. Law enforcement officers of the EPD conducted a blitz inspection of the construction site in early February and discovered that a concrete lorry mixer and a concrete-pump lorry were being used to carry out works till almost 8pm, generating loud noise. However, the CNP for the construction site only permitted the use of quieter powered mechanical equipment at night. The EPD revoked the permit for the construction site immediately and prosecuted the main contractor and subcontractor of the construction site under the NCO.

The spokesman for the EPD explained that the NCO aims to protect the public from disturbance of rest. Construction contractors should arrange for construction works to be carried out during daytime and non-general holidays as far as possible to minimise noise disturbances to nearby residents. If powered mechanical equipment has to be used during restricted hours (between 7pm and 7am on the following day, or at any time on a general holiday), construction contractors must obtain a CNP from the EPD in advance. Such construction works shall only commence when a CNP is granted upon completion of an assessment that support its compliance with regulatory requirements. Construction contractors should only use specified powered mechanical equipment with noise mitigation measures in place within the period stipulated in a CNP. Otherwise it constitutes an offence. Offenders are liable to a maximum fine of \$100,000 on first conviction. A maximum fine of \$200,000 may be imposed on a subsequent conviction.